

EXHIBIT 3

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

STEPHEN McCOLLUM, STEPHANIE
KINGREY, and SANDRA McCOLLUM,
individually and as heirs at law to the Estate of
LARRY GENE McCOLLUM,
PLAINTIFFS

v.

BRAD LIVINGSTON, JEFF PRINGLE,
RICHARD CLARK, KAREN TATE,
SANDREA SANDERS, ROBERT EASON, the
UNIVERSITY OF TEXAS MEDICAL
BRANCH and the TEXAS DEPARTMENT OF
CRIMINAL JUSTICE.
DEFENDANTS

CIVIL ACTION NO.
3:12-cv-02037

TO: DEFENDANT UNIVERSITY OF TEXAS MEDICAL BRANCH, by and through its attorney of record, Kim Coogan, Assistant Attorney General, P.O. Box 12548, Capitol Station Austin, Texas 78711.

Please take notice that on July 8, 2013, and thereafter from day to day until completed, Plaintiffs will take the oral deposition of Defendant University of Texas Medical Branch, before a court reporter and notary public for the State of Texas pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure.

The deposition will cover the following topics:

1. The death of Larry Gene McCollum at the TDCJ Hutchins Unit;
2. All medical care provided to Larry Gene McCollum at the Hutchins Unit, or any other care provided by UTMB;
3. UTMB policies and practices regarding temperature, heat, and related conditions at the Hutchins Unit and in TDCJ generally between June 1, 2011 and September 1, 2011;
4. Creation and enforcement of UTMB policies related to temperature, heat, and inmate health and welfare in TDCJ;
5. Training for UTMB and TDCJ employees on policies related to temperature, heat, and inmate health and welfare;

6. UTMB policies, procedures, customs, and practices regarding prevention of heat related illnesses at the Hutchins Unit and in TDCJ generally between June 1, 2011 and September 1, 2011 (including, but not limited to, air conditioning, provision of water to inmates, inmate showering, ventilation, dress codes, work assignments, housing assignments, and fans);
7. Staffing levels the Hutchins Unit between June 1, 2011 and September 1, 2011;
8. UTMB policies and procedures regarding intake of new inmates at TDCJ transfer facilities between June 1, 2011 and September 1, 2011 (including, but not limited to, triage, intake physicals, housing restrictions for new inmates, and housing assignments);
9. The people and procedures composing chain of command related to enforcement of UTMB policies related to heat, extreme temperatures, and heat-related illnesses at the Hutchins Unit and in TDCJ generally between June 1, 2011 and September 1, 2011;
10. Training for UTMB staff related to heat, extreme temperatures, and heat-related illnesses at the Hutchins Unit and in TDCJ generally between June 1, 2011 and September 1, 2011;
11. Complaints (including, but not limited to, inmate grievances) made to UTMB related to heat, extreme temperatures, heat-related illnesses, and air conditioning at the Hutchins Unit and in TDCJ facilities generally between June 1, 2011 and September 1, 2011;
12. UTMB's role in creating housing assignments for TDCJ prisoners, including assignments for prisoners with disabilities and/or medical conditions;
13. Financial costs, if any, of providing medical treatment to prisoners diagnosed with heat-related illnesses (including cost of treatment for Larry Gene McCollum);
14. Supervision of programs and procedures related to heat, temperature, or prevention of heat-related illness at the Hutchins Unit between June 1, 2011 and September 1, 2011;
15. UTMB policies, practices and procedures regarding creation of lists of prisoners with medical conditions affected by heat, high temperature, or high heat indexes;
16. UTMB policies, practices and procedures regarding providing emergency medical care for prisoners in TDCJ facilities, including at the Hutchins Unit;
17. UTMB policies, practice and procedures regarding providing medical care for prisoners at TDCJ facilities where infirmaries or clinics are not staffed on-site 24-hours-a-day;
18. UTMB policies, practices and procedures for identifying heat-related illnesses or injuries at TDCJ facilities;
19. UTMB policies, practices and procedures for contacting an ambulance at TDCJ facilities;
20. UTMB policies, practices and procedures for providing accommodations to prisoners

with heat-sensitive disabilities (including, but not limited to, hypertension and diabetes);

21. Any decisions to provide less than 24-hour-a-day on-site medical care at the Hutchins Unit;
22. Any policies, practices and procedures for tracking illnesses and/or deaths to any person treated by UTMB staff at TDCJ facilities;
23. Effects of heat on patients with diabetes;
24. Effects of heat on patients with hypertension;
25. Effects of hydrochlorthiazide on patients;
26. Any changes made to UTMB policies, procedures or practices following heat-related injuries or deaths at TDCJ facilities.

The deposition is for the purpose of discovering, securing, and completing testimony of Defendant. The deposition will be taken at Office of the Attorney General 300 W. 15th Street, Austin, TX 78701, on July 8, 2013, at 10:00 a.m. and will continue thereafter from day to day until completed. The deposition will be recorded stenographically and on videotape.

For the purpose of this notice, the following terms are assigned the below meanings:

1. "HUTCHINS UNIT" - refers to the Texas Department of Criminal Justice facility located at 1500 East Langdon Road, Dallas, TX 75241.
2. "STATE JAIL" – refers to a facility designated to house inmates per Texas Penal Code § 12.35.
3. "AND," "OR," "ANY," and "ALL" shall be construed conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope.

Dated: June 18, 2013.

Respectfully submitted,

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By /s/ Scott Medlock

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

By my signature above, I hereby certify that the foregoing document has been served on all counsel of record **via fax**, on June 18, 2013, as follows:

Bruce R. Garcia
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Via email

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Via email

By /s/ Scott Medlock
Scott Medlock